

BOB GIBBS

7TH DISTRICT, OHIO

2217 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-6265

110 COTTAGE STREET  
ASHLAND, OH 44805  
(419) 207-0650

110 CENTRAL PLAZA SOUTH  
CANTON, OH 44702  
(330) 737-1631

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3507**

TRANSPORTATION AND  
INFRASTRUCTURE COMMITTEE

SUBCOMMITTEES  
RANKING MEMBER,  
COAST GUARD AND MARITIME TRANSPORTATION  
HIGHWAYS AND TRANSIT

OVERSIGHT AND REFORM COMMITTEE  
SUBCOMMITTEES  
ENVIRONMENT  
NATIONAL SECURITY

February 2, 2022

The Honorable Merrick Garland  
Attorney General  
Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530

The Honorable Christopher Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535

Dear Attorney General Garland and Director Wray,

We write to express our concerns regarding the establishment of a new domestic terrorism unit under the U.S. Department of Justice (DOJ). In the past decade, we have seen increased politicization of the DOJ and questionable tactics by federal law enforcement agencies that breed distrust in our justice system. We must ensure the DOJ conducts investigations with the highest ethical standards without infringing on the constitutional rights of American citizens.

In the name of national security, Congress has given the extraordinary authority to investigate terrorism to the U.S. Department of Justice (DOJ). In 1978, the Foreign Intelligence Surveillance Act (FISA) was first enacted and set procedures for physical and electronic surveillance and collection of foreign intelligence information. In 2001, the PATRIOT Act was crafted to combat new threats in a post 9/11 world by facilitating easier and less cumbersome means of investigation and surveillance. Over time these tools have proven useful in protecting Americans, but we have also seen the authorities trusted with these tremendous powers abuse them.

In 2014, it was revealed the National Security Agency (NSA) was secretly collecting metadata from millions of Americans' telephone records without a warrant. These actions were later ruled a violation of FISA by the U.S. Court of Appeals for the Ninth Circuit.<sup>1</sup> In December 2019, the Office of the Inspector General (OIG), an independent entity within the DOJ, released the review of the Federal Bureau of Investigation's (FBI) Crossfire Hurricane investigation<sup>2</sup> which examined the decision to open the investigation into the 2016 Trump Presidential Campaign using the Steele Dossier to apply for FISA warrants. After review, the OIG found 17 significant errors or omissions in the applications for warrants by FBI agents. In addition, one individual altered a document from the Central Intelligence Agency (CIA), misleading the court and covering up errors in previous applications.

On January 11, 2022, the DOJ announced the formation of a new domestic terrorism unit. The same day the Assistant Attorney General of the DOJ's National Security Division, Matthew Olsen,

<sup>1</sup> <https://cdn.ca9.uscourts.gov/datastore/opinions/2020/09/02/13-50572.pdf>

<sup>2</sup> <https://www.justice.gov/storage/120919-examination.pdf>


told the Senate Judiciary Committee the DOJ has seen a growing threat from extremist anti-government and anti-authority ideologies. These actions follow a memorandum from Attorney General Merrick Garland distributed to the Federal Bureau of Investigation (FBI) directing them to investigate criminal conduct at local school board meetings.<sup>3</sup> This memorandum was issued shortly after the Secretary of Education solicited a letter from the National School Board Association (NSBA) which compared parents protesting at school board meetings to possible domestic terrorism.<sup>4</sup>

While the legal outcomes for each of these instances will be determined by the American judicial system, these events raise serious questions about the tactics used by federal law enforcement when conducting surveillance and investigations. With the DOJ citing anti-government and anti-authority ideologies as the need for a new domestic terrorism unit, we must understand its jurisdictional parameters. We request answers to the following questions:

- 1) Will this unit's investigative purview include school parents and individuals against COVID-19 restrictions?
- 2) Has the FBI put in place safeguards to prevent the use of false documents to obtain warrants?
- 3) Will the FBI use informants who encourage or organize criminal behavior?
- 4) What methods will the FBI use to surveil potential suspects?

Before we further extend the powers of what many Americans consider "the Deep State" to investigate American citizens, we must ensure their liberties are protected from these agencies tasked with their protection.

Sincerely,



Bob Gibbs  
Member of Congress



Rodney Davis  
Member of Congress



Vicky Hartzler  
Member of Congress

---

<sup>3</sup> <https://www.justice.gov/ag/page/file/1438986/download>

<sup>4</sup> <https://defendinged.org/wp-content/uploads/2021/11/Letter.pdf>



Jody Hice  
Member of Congress



W. Gregory Steube  
Member of Congress



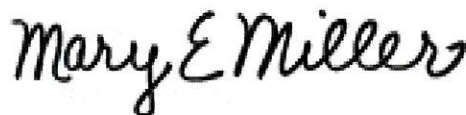
Alex X. Mooney  
Member of Congress



Andy Biggs  
Member of Congress



Bob Good  
Member of Congress



Mary E. Miller  
Member of Congress



Scott Perry  
Member of Congress



Matt Gaetz  
Member of Congress



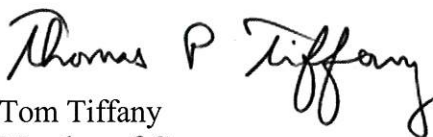
Marjorie Taylor Greene  
Member of Congress



Chip Roy  
Member of Congress



Louie Gohmert  
Member of Congress



Tom Tiffany  
Member of Congress